

TEXAS - Lubbock Division

Case Number: 5:16-CV-066-C

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**Plaintiffs' Exhibits to Brief in Support of Application
(Motion) for Preliminary Injunction**

National Federation of Independent Business, et al. v. Thomas E. Perez, et al.
Hearing Held June 20, 2016 at 10:00 A.M.
U.S. District Court, Lubbock, Texas

<u>Tab</u>	<u>Exhibit</u>
HILLER 1. ✓	DOL's New Rule – "Interpretation of the 'Advice' Exemption" in Section 203(c) of the Labor-Management Reporting and Disclosure Act (LMRDA), 81 Fed. Reg. 15924, et al.
DUFFY 2. ✓	Form LM-10 with Instructions.
HILLER 3. ✓	Form LM-20 with Instructions.
HILLER 4. ✓	Form LM-21 with Instructions.
HILLER 5. ✓	Article – The High Costs of Proposed Labor-Law Regulations" by Diana Furchtgott-Roth (4/2/13)
HILLER 6. ✓	Authorization card from the United Auto Workers Union
HILLER 7. ✓	Checklist – Initial Meeting with Employer Who Receives Notice of Hearing
HILLER 8. ✓	NLRB's "Quickie" or "Accelerated" Election Rule
HILLER 9. ✓	NLRB's Statement of Position form
HILLER 10. ✓	Checklist of what the employer's Statement of Position must contain
HILLER 11. ✓	Kaufman and Stephan article quoted at page 15931 of the persuader rule
HILLER 12. ✓	DOL's <u>Weekly Newsletter</u> of February 4, 2016
HILLER 13. ✓	"Union Matters" blog article by Secretary Perez
HILLER 14. ✓	DOL's "Special Enforcement Policy" (4/13/16)
HILLER 15. ✓	Morgan Lewis "Lawflash" (OPERATIVE FACT ONLY)
HILLER 16. ✓	Mark Noonan worksheet re: estimated cost of compliance

<u>Tab</u>	<u>Exhibit</u>
ROBINSON 17. ✓	Wm. T. (Bill) Robinson III letter of 9/21/11 from ABA to Andrew P. Davis, DOL
ROBINSON 18. ✓	2016 Letter from ABA President 2015-2016 (OPERATIVE FACT ONLY)
19.	Model Rules of Professional Conduct 2.1 – Advisor (include comments)
ROBINSON 20. ✓	Statement by Wm. T. (Bill) Robinson III, President (2011-12) of the ABA, before the Subcommittee on Health, Employment, Labor and Pensions, House Education and Workforce Committee (4/27/16)
MEISBURG 21. ✓	Memorandum of Understanding Between Departments of Justice and Labor
MEISBURG 22. ✓	DOL's LMRDA Interpretive Manual §265.005 (1/19/62)
MEISBURG 23. ✓	Donahue Memo
MEISBURG 24. ✓	Ass't Secretary of Labor-Management Standards Mario A. Lauro, Jr.'s Statement of 3/24/89 (OPERATIVE FACT ONLY)
25.	SHRM Seminar: Behind the Scenes of the Union Organizing Drive & the New NLRB (3/24/16) OFFERED - NOT ADMITTED - HEARSAY
JOHNSON 26. ✓	TAB Union Seminar Programs
27.	LCC completed DOL form LM 20
DUFFY 28. ✓	Texas Rules of Professional Conduct 1.05 – Confidentiality of Information (include comments)
DUFFY 29. ✓	Texas Rule of Professional Conduct 1.6 – Conflict of Interest: General Rule
ROBINSON 30. ✓	Model Rules of Professional Conduct 1.6 – Confidentiality of Information (include comments)
DUFFY 31. ✓	Texas Ethics Op. 479 (1991)
DUFFY 32. ✓	Texas Rules of Professional Conduct 2.01 – Advisor (include comments)
SPILMAN 33. ✓	NFIB Guide to Managing Unionization Efforts
SPILMAN 34. ✓	NFIB Webinar: Maintaining Your Business [big or small] Union Free

Tab

Exhibit

<i>SPILMAN</i> 35. ✓	NFIB Webinar: Private: What Can Your Business Lawfully Do To Avoid Unionization
<i>SPILMAN</i> 36. ✓	NFIB completed DOL form LM 20
<i>ROBINSON</i> 37. ✓	Resume of Wm. T. (Bill) Robinson III
<i>MEISBURG</i> 38. ✓	Resume of Ronald Meisburg
39.	Resume of David P. Hiller
<i>DUFFY</i> 40. ✓	Resume of Dennis Duffy
<i>GRAF</i> 41. ✓	Resume of Don Graf